

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

VERA CARVALHO &  
SEBASTIAO CARVALHO NEVES  
Plaintiffs,

v.

THE NEW YORK MORTGAGE COMPANY,  
LLC and BAC HOME LOANS SERVICING,  
L.P.  
Defendants.

Case No. 1:09-cv-11659-JGD

**STIPULATION OF DISMISSAL AS TO DEFENDANT HYPOTHECA CAPITAL, LLC  
F/K/A THE NEW YORK MORTGAGE COMPANY LLC ONLY WITH PREJUDICE**

Pursuant to Rule 41(a)(1)(ii) of the Federal Rules of Civil Procedure, Plaintiffs Vera Carvalho and Sebastiao Carvalho Neves and Defendant Hypotheca Capital, LLC f/k/a The New York Mortgage Company, LLC<sup>1</sup> hereby stipulate to the dismissal of this action against Defendant Hypotheca only with prejudice, each party to be responsible for its own attorneys' fees and costs. All rights of appeal are waived.

Plaintiffs  
VERA CARVALHO and  
SEBASTIAO CARVALHO NEVES,  
By their attorney,

Defendant  
HYPOTHECA CAPITAL, LLC f/k/a THE  
NEW YORK MORTGAGE COMPANY,  
LLC  
By its attorneys,

/s/ Hannah C. Burrows

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Dated: December 22, 2010

<sup>1</sup> The Carvalhos improperly named this Defendant as New York Mortgage Company, LLC.  
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